

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MISSOURI STATE CONFERENCE OF)
THE NATIONAL ASSOCIATION FOR)
THE ADVANCEMENT OF COLORED)
PEOPLE, et al.,)
)
Plaintiffs,)
)
v.) Case No. 4:22-cv-191-MTS
)
WENTZVILLE R-IV SCHOOL)
DISTRICT,)
)
Defendant.)
)

AMENDED JOINT PROPOSED SCHEDULE

COME NOW, Plaintiffs and Defendant (collectively, “the parties”), by and through their attorneys, and respectfully submit the following Amended Joint Proposed Scheduling Plan pursuant to this Court’s Order of January 24, 2023 (ECF No. 65):

I. Scheduling Plan:

1. The parties agree that this case is properly assigned to Track 3 (Complex).
2. All motions for joinder of additional parties or amendment of the pleadings should be filed no later than April 19, 2023.
3. Discovery shall proceed in the following manner:
 - (a) The parties agree to produce all electronically stored information (ESI) in either Portable Document Format (PDF) or the format maintained (the Native Format). If the party receiving the information does not have the capability to read the ESI in Native Format, the parties agree that the producing party will, if

possible, either provide access to software capable of reading such ESI or to produce such ESI in PDF format or another format agreed upon in writing by the parties.

- (b) Discovery need not be conducted in phases or limited to certain issues.
- (c) Plaintiffs shall designate all expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than August 4, 2023, and shall make the expert witnesses available for depositions and have the depositions completed no later than September 8, 2023.
- (d) Defendant shall designate all expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than September 15, 2023, and shall make the expert witnesses available for depositions and have the depositions completed no later than October 20, 2023.
- (e) Absent good cause shown, the limits of ten (10) depositions per side and twenty-five (25) interrogatories per side should apply in this case as the parties do not anticipate each side needing more than twenty-five interrogatories.
- (f) No physical or mental examinations are anticipated.
- (g) The parties shall complete all discovery in this case no later than December 8, 2023.

4. The parties believe that referral of this action to mediation would be appropriate after July 24, 2023, to terminate on September 18, 2023.
 5. Any dispositive motions and motions to exclude testimony pursuant to *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) or *Kuhmo Tire Co. Ltd v. Carmichael*, 526 U.S. 137 (1999), must be filed no later than January 29, 2024. The response to any such motion will be due within 21 days of the filing of the motion. The reply to any such response will be due within 10 days of the filing of the response.
- II. Trial. The parties submit that this case will be ready for trial on or after May 6, 2024. It is anticipated that the length of time to try the case will be approximately 4 days.

Respectfully submitted,

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